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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 3:04-CV-30001 (MAP)

U.S. DISTRICT COURT
DISTRICT OF MASS

MICHAEL J. BARNETT, M.D.
Plaintiff,

v.

EAST CAROLINA NEUROLOGY, INC.
Defendant

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)
**ASSENTED-TO
MOTION TO ENLARGE TIME
TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT**

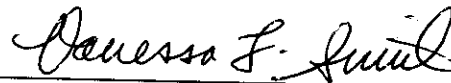
Defendant East Carolina Neurology, Inc. ("ECN"), respectfully moves the Court for an order enlarging the time within which it may answer or otherwise respond to the plaintiff's complaint, by a period of twenty (20) days, to and including the 2nd day of February, 2004. In support of its motion, ECN respectfully states as follows:

1. On or about November 12, 2003, plaintiff Michael J. Barnett, M.D. ("Dr. Barnett") filed an action against ECN in the Superior Court of Hampshire County, Massachusetts, entitled *Michael J. Barnett, M.D. v. East Carolina Neurology, Inc.*, HSCV2003-0246.
2. Dr. Barnett effected service of process on ECN on or about December 17, 2003. On January 5, 2004, ECN removed the action to this Court pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. Pursuant to Fed. R. Civ. P. 81(c), an answer or other response to the complaint currently is due on or before January 12, 2004.
3. ECN requires the requested extension of time in order to investigate further the allegations and claims in the complaint and prepare a response to the complaint.
4. Counsel for ECN has consulted counsel of record for Dr. Barnett with respect to the requested enlargement of time, and counsel for Dr. Barnett has represented that Dr. Barnett assents to the requested enlargement of time.

WHEREFORE, ECN respectfully moves the Court to enter an order enlarging the time within which ECN can serve its answer or otherwise respond to the complaint by a period of twenty (20) days, to and including the 2nd of February, 2004.

Respectfully submitted, this the 7th day of January, 2004.

EAST CAROLINA NEUROLOGY, INC.,
By Its Attorneys,



Francis D. Dibble, Jr.

BBO No. 123220

Vanessa L. Smith

BBO No. 649258

Bulkley, Richardson and Gelinas, LLP

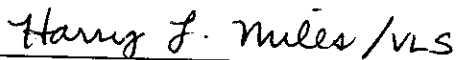
1500 Main Street, Suite 2700

Springfield, MA 01115

Tel: (413) 781-2820

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ASSENTED:



Harry L. Miles

77 Pleasant Street

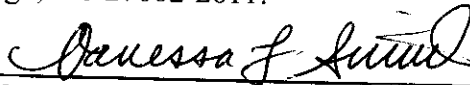
P.O. Box 210

Northampton, MA 01061

Dated: January 7, 2004

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2004, I caused a true and correct copy of the foregoing **Assented-To Motion to Enlarge Time to Answer or Otherwise Respond to Complaint** to be served by United States mail, first class postage prepaid, upon: Harry L. Miles, Esq., 77 Pleasant Street, P.O. Box 210, Northampton, MA 01061 and James K. Dorsett, III, Esq., Susan H. Hargrove, Esq., P.O. Box 2611, Raleigh, NC 27602-2611.



Vanessa L. Smith, Attorney for Defendant